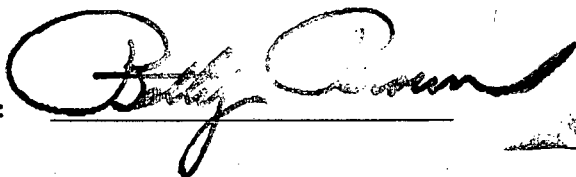


By: 

H.B. No. 1118

A BILL TO BE ENTITLED

AN ACT

relating to the operation of a licensed barber or cosmetology school, shop, or facility before initial inspection by the Texas Department of Licensing and Regulation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1602.303(c), Occupations Code, is amended to read as follows:

(c) The applicant is entitled to a private beauty culture school license if:

(1) the department determines that the applicant is financially sound and capable of fulfilling the school's commitments for training; and

~~(2) [the applicant's facilities pass an inspection conducted by the department under Section 1603.103; and~~

~~[(3)]~~ the applicant has not committed an act that constitutes a ground for denial of a license.

SECTION 2. Section 1603.103, Occupations Code, is amended to read as follows:

Sec. 1603.103. INITIAL INSPECTION OF SCHOOLS, SHOPS, AND FACILITIES ~~[BEFORE OPERATION]~~. (a) A person may ~~[Until the department determines, by inspection, that the person has established the school, shop, or facility in compliance with this chapter, Chapter 1601, or Chapter 1602, a person may not]~~ operate a school, shop, or other facility licensed or permitted under this

chapter, Chapter 1601, or Chapter 1602 before the department initially inspects the school, shop, or facility if the person posts evidence in the school, shop, or facility that:

(1) the person has obtained liability insurance required by the department;

(2) the person has paid all fees required by the department; and

(3) the department has approved the name of the school, shop, or facility.

(b) The department shall initially inspect each newly licensed or permitted school, shop, or other facility as soon as practicable before or after the date the school, shop, or facility begins operation. If the department determines in the initial inspection that the school, shop, or facility is not in compliance with this chapter, Chapter 1601, or Chapter 1602, the person may not operate or continue to operate the school, shop, or facility until the department determines, on reinspection, that the school, shop, or facility is in compliance ~~[A school, shop, or other facility that is not approved by the department on initial inspection may be reinspected]~~.

(c) The school, shop, or other facility shall pay a fee for each inspection. The commission shall by rule set the amount of the fee.

SECTION 3. The changes in law made by this Act apply only to a person who files an application with the Texas Department of Licensing and Regulation for a license issued under Chapter 1601, 1602, or 1603, Occupations Code, that is pending on the effective

1 date of this Act or that is filed on or after that date.

2 SECTION 4. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2007.

H.B. No. 1118

A BILL TO BE ENTITLED
AN ACT

By Betty Brown

relating to the operation of a licensed barber or cosmetology school, shop, or facility before initial inspection by the Texas Department of Licensing and Regulation.

FEB 05 2007

Filed with the Chief Clerk

FEB 1 2 2007

Read first time and referred to Committee on

Licensing & Administrative Procedures

Reported ____favorably (as amended)
(as substituted)

Sent to Committee on (Calendars)
(Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of _____ yeas, _____ nays, _____ present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

Received from the House

Read and referred to Committee on

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays).

Senate and Constitutional 3 Day Rules suspended by a vote of _____ yeas, _____ nays

Read third time, _____, and passed by a (viva voce vote) _____
(_____ yeas, _____ nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)